

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Sven Klusmann et al.

Application No.: 10/578938

Confirmation No.: Not Yet Assigned

Filed: May 9, 2006

Art Unit: Not Yet Assigned

For: NUCLEIC ACIDS SPECIFICALLY
BINDING BIOACTIVE GHRELIN

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed within three months of the U.S. filing date (37 CFR 1.97(b)(1)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 14167-00002-US. A duplicate copy of this paper is enclosed.

Dated: July 20, 2006

Respectfully submitted,

By Liza D. Hohenschutz
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Substitute for form 1448A/B/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Application Number	10/578938	
			Filing Date	May 9, 2006	
			First Named Inventor	Sven Klussmann	
			Art Unit	Not Yet Assigned 1637	
			Examiner Name	Not Yet Assigned S. Pande	
Sheet	1	of	1	Attorney Docket Number	14167-00002-US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	⁶
/S.P.	BA	WO 2004/013274 A21	02-12-2004	Noxon Pharma AG		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		²
/S.P.	CA	S. J. Wood, "DNA-DNA Hybridization in Real Time Using BIAcore", Microchemical Journal, 47, pages 330-337, 1993		
/S.P.	CB	S. Helming et al., "Inhibition of ghrelin action in vitro and in vivo by an RNA-Spiegelmer", PNAS, vol. 101, no. 36, pages 13174-13179, September 7, 2004		
/S.P.	CC	M. Raghavan et al., "BIAcore: a microchip-based system for analyzing the formation of macromolecular complexes", Structure, vol. 3, pages 331-333, April 15, 1995		
/S.P.	CD	S. Leve et al., "GnRH binding RNA and DNA Spiegelmers: A Novel Approach toward GnRH Antagonism", Chemistry & Biology, vol. 9, pages 351-359, March 2002		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Suchira Pande/	Date Considered	06/17/2008
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